IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Second Appeal No. 302 of 1993
(Mrs. Premlata Girijashankar Trivedi and ors. Vs. Arun Kumar s/o Laxmanprasad Tiwari and ors.)
with
Second Appeal No. 305 of 1993
(Hanumanprasad S/o Badriprasad Tiwari (Dead) through L.Rs. Ashokumar S/o Hanumanprasad Tiwari and ors. Vs. Gayaprasad s/o Shivramprasad Tiwari (Dead) through L.Rs. Sheela wd/o Gayaprasad Tiwari and ors.)
with
Second Appeal No. 541 of 2007
(Arun Kumar s/o Laxmanprasad Tiwari Vs. Gayaprasad s/o Shivramprasad Tiwari (Dead) through L.Rs. Sheela wd/o Gayaprasad Tiwari and ors.)

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

Shri Nikhil Padhye, Advocate for appellant in S.A. 541/2007
Shri Apurv De, Advocate for appellants in S.A. 302/1993
Shri Alaspurkar, Advocate for L.Rs for respondent no. 15 in S.A. 302/1993

CORAM : Z.A.HAQ, J.
DATE : 15-9-2014.

Second Appeal No. 302/1993

Shri De, learned Advocate for the appellants prays for one week's time to take necessary steps for bringing legal representatives of respondent no. 2, respondent no. 4(1) and respondent no. 13 on record. The appellants are granted two weeks' time to take necessary steps.

If the necessary application is not filed within two weeks, the appeal shall stand dismissed against respondent no. 2, respondent no. 4(1) and respondent no. 13 without reference to the Court.

Civil Application No. 980 of 2014 in S.A. 302/1993

Heard Shri De, learned Advocate for the applicants/appellants and Shri Nikhil Padhye, learned Advocate who appears for the appellant in Second Appeal No. 541/2007. The prayer for deleting the name of respondent no. 5 is allowed at the risk of the appellants in Second Appeal No. 302/1993.

The appellants have given the correct address of respondent no. 9 and respondent no. 10. The appellants are permitted to correct the addresses of respondent no. 9 and respondent no. 10 in the memorandum of appeal. The amendment to be carried out within three days from today.

After the amendment is effected, issue notice to the respondent nos. 9 and 10 returnable on 8-10-2014. In addition to the normal mode of service, the appellants to serve the respondent nos. 9 and 10 by speed post acknowledgment due.

The process fees and the postage stamp shall be deposited with the Registry of this Court within three days from today. In case of default on the part of the appellants, the appeal shall stand dismissed against respondent no. 9 and respondent no. 10 without reference to the Court.

The civil application is allowed in above terms.

List the appeals for consideration on 13-10-2014.

JUDGE

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